

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

STATE OF TEXAS, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	No. 6:24-cv-0306
UNITED STATES DEPARTMENT OF HOMELAND SECURITY, <i>et al.</i> ,	§	
	§	
	§	
Defendants.	§	
	§	

**CONSENT MOTION FOR LEAVE TO FILE AS AMICUS**

COMES NOW, amicus curiae, the American Immigration Lawyers Association (AILA), by and through the undersigned counsel, Amanda Waterhouse, and respectfully moves for leave to file the attached brief as amicus curiae in support of the Defendants’ motion for a summary judgment.

Generally, courts have “broad discretion” to admit an amicus curiae. *In re Halo Wireless, Inc.*, 684 F.3d 581, 595-96 (5th Cir. 2012). The Fifth Circuit has found that, “Whether to permit a nonparty to submit a brief, as amicus curiae, is, with immaterial exceptions, a matter of judicial grace.” *Id.* at 596 (quoting *Nat’l Org. for Women, Inc. v. Scheilder*, 223 F.3d 615, 616 (7th Cir. 2000)). Such briefing should generally be accepted when “the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide...” *Id.*

AILA is a national, non-partisan, non-profit association with thousands of members who practice and teach in the field of immigration and nationality law. AILA seeks to promote justice,

advocate for fair and reasonable immigration law and policy, and advance the quality of immigration and nationality law and practice. AILA's members practice regularly before the Department of Homeland Security, the Department of State, immigration courts and the Board of Immigration Appeals, as well as before the U.S. Courts of Appeals and the U.S. Supreme Court.

AILA seeks to file this brief in order to provide the Court with important information and present a different perspective from that of the parties, drawn from our understanding of immigration law and our practical experience. All parties to this case have consented to the filing of AILA's brief as amicus curiae and the forthcoming brief shall be submitted timely per the deadline set by this Court. ECF No. 69.

WHEREFORE, and based on the foregoing reasons, AILA respectfully requests that the Court grant AILA's motion to leave to participate as amicus curiae and accept the proposed amicus brief. A proposed order is attached.

Dated: October 25, 2024

Respectfully Submitted,

/s/ Amanda Waterhouse  
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*On behalf of* American Immigration  
Lawyers Association (AILA)

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 25, 2024, I electronically filed this Consent Motion for Leave to File as Amicus Curiae with the Clerk of the Court for the United States District Court for the Eastern District of Texas using the CM/ECF system. All counsel in this matter are registered CM/ECF users and service will be electronically accomplished via the CM/ECF system.

/s/ Amanda Waterhouse  
Amanda Waterhouse

### **CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for amicus curiae, the American Immigration Lawyers Association, have complied with the meet and confer requirements of Local Rule CV-7(h). The parties to consent to the filing of this motion.

/s/ Amanda Waterhouse  
Amanda Waterhouse